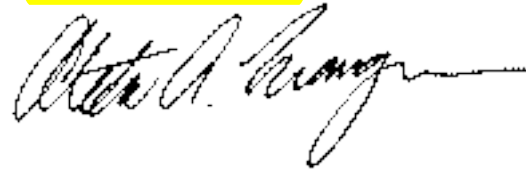


Motion GRANTED.



UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

GARY T. WINNETT, et al,)	
)	
Plaintiffs,)	Case No. 3:06-CV-00235
)	
v.)	Hon. Aleta A. Trauger
)	
CATERPILLAR INC.,)	Mag. Judge Joe B. Brown
)	
Defendant.)	CLASS ACTION

MOTION FOR LEAVE TO FILE *INSTANTER*
CATERPILLAR'S REPLY TO PLAINTIFFS' OPPOSITION TO MOTION FOR
RECONSIDERATION OF COURT'S SUMMARY JUDGMENT RULING

Defendant Caterpillar Inc., pursuant to Local Rule 8(b)(3), requests leave to file *instante* the attached Reply Memorandum in Support of its Motion for Reconsideration. Caterpillar seeks leave to file this Reply Memorandum in response to the arguments raised by Plaintiffs in their Opposition to Caterpillar's Motion for Reconsideration, which was filed on December 13, 2010.

WHEREFORE, Caterpillar requests leave to file *instante* the attached Reply Memorandum in Support of its Motion for Reconsideration.